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Docket No.: CIBT-P01-514
(PATENT)

1647
#12
DmJ
8-15-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Sampath et al.

Application No.: 09/445328

Group Art Unit: 1647

Filed: December 7, 1999

Examiner: Romeo, David S.

For: THERAPIES FOR ACUTE RENAL FAILURE

**COMMUNICATION IN RESPONSE TO MAY 6, 2002 RESTRICTION
REQUIREMENT AND PETITION FOR A TWO MONTH EXTENSION OF TIME**

Commissioner for Patents
Washington, DC 20231

Dear Sir:

This Communication is submitted in response to a May 6, 2002 Office Action issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the Office Action was originally due June 6, 2002. Applicants hereby petition for a two month extension of time. Applicants have previously established small entity status. The required fee for a two month extension of time is \$200.00 and authorization is hereby given to charge this amount to Deposit Account No.18-1945. Therefore, a response is now due August 6, 2002. Therefore, this response is being timely filed.

Remarks

Claims 1-52 are pending in the subject application.

Applicants would like to thank Examiner David Romeo for granting the undersigned a telephone interview to discuss the restriction requirement.

In response, applicants respectfully traverse the Examiner's restriction requirement. Nevertheless, applicant's undersigned attorney, on behalf of applicant, hereby provisionally elects, with traverse, Group X, which the Examiner has characterized as a method of treatment to delay the need for, or reduce the frequency of dialysis comprising administering OP-1. The Examiner is apparently restricting each member of a Markush group into a separate group. Based on a July 11, 2002 telephone conference with Examiner Romeo, the undersigned understands that applicants will be allowed to prosecute a generic linking claim even though they must make provisional elections.